

1. The title of the information collection: Exercise of Discretion for an Operating Facility, NRC Enforcement Policy (NUREG-1600).

2. Current OMB approval number: 3150-0136.

3. How often the collection is required: On occasion.

4. Who is required or asked to report: Nuclear power reactor licensees.

5. The number of annual respondents: 36.

6. The number of hours needed annually to complete the requirement or request: 2,160.

7. Abstract: The NRC's revised Enforcement Policy includes the circumstances in which the NRC may exercise enforcement discretion. This enforcement discretion is designated as a Notice of Enforcement Discretion (NOED) and relates to circumstances which may arise where a licensee's compliance with a Technical Specification Limiting Condition for Operation or with other license conditions would involve an unnecessary plant transient or performance of testing, inspection, or system realignment that is inappropriate for the specific plant conditions, or unnecessary delays in plant startup without a corresponding health and safety benefit. A licensee seeking the issuance of a NOED must provide a written justification, which documents the safety basis for the request and provides whatever other information the NRC staff deems necessary to decide whether or not to exercise discretion.

Submit, by February 26, 1996, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, 2120 L Street, NW (lower level), Washington, DC. Members of the public who are in the Washington, DC, area can access this document via modem on the Public Document Room Bulletin Board (NRC's Advanced Copy Document Library), NRC subsystem at FedWorld, 703-321-3339. Members of the public who are located outside of the Washington, DC, area can dial

FedWorld, 1-800-303-9672, or use the FedWorld Internet address: fedworld.gov (Telnet). The document will be available on the bulletin board for 30 days after the signature date of this notice. If assistance is needed in accessing the document, please contact the FedWorld help desk at 703-487-4608.

Comments and questions may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 F33, Washington, DC, 20555-0001, or by telephone at (301) 415-7233, or by Internet electronic mail at BJS1@NRC.GOV.

Dated at Rockville, Maryland, this 20th day of December, 1995.

For the Nuclear Regulatory Commission,
Gerald F. Cranford,

*Designated Senior Official for Information
Resource Management.*

[FR Doc. 95-31302 Filed 12-26-95; 8:45 am]

BILLING CODE 7590-01-P

[Docket No. 50-285]

Omaha Public Power District Fort Calhoun Station, Unit No. 1; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of 10 CFR Part 50, Section IV.F.2.c of Appendix E regarding a biennial emergency preparedness exercise for Facility Operating License No. DRP-40, issued to Omaha Public Power District, (the licensee), for operation of the Fort Calhoun Station, Unit 1, located in Washington County, Nebraska.

Environmental Assessment

Identification of the Proposed Action

The proposed action would grant a scheduler exemption from the requirement of Section IV.F.2.c of Appendix E to 10 CFR Part 50, which requires that each licensee perform a biennial emergency preparedness exercise, including offsite plans with full participation by offsite State and local authorities. This action would allow the licensee to extend the biennial interval until the first quarter of 1996.

The proposed action is in accordance with the licensee's application for exemption dated December 8, 1995, as supplemented by letter dated December 15, 1995.

The Need for the Proposed Action

The proposed action is needed because the Federal Emergency

Management Agency (FEMA) was not able to support the licensee's previously scheduled biennial full exercise as result of the federal impasse over the 1996 Federal Budget. Without the exemption, FEMA will not be able to complete its required biennial assessment of the licensee's ability to ensure adequate protection can and will be taken in the event of a radiological emergency.

Environmental Impacts of the Proposed Action

The proposed exemption would not adversely affect the response capabilities of the licensee and State and local authorities. The Commission has completed its evaluation of the proposed action and concludes that the intent of Appendix E, Section IV.F.2.c to ensure offsite emergency preparedness is maintained, has been met. Therefore, the change will not increase the probability or consequences of accidents, no changes are being made in the types or amounts of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does involve features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Accordingly, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed action.

Alternatives to the Proposed Action

Since the Commission has concluded there is no measurable environmental impact associated with the proposed action, any alternatives with equal or greater environmental impact need not be evaluated. As an alternative to the proposed action, the staff considered denial of the proposed action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statement (FES) for the Fort Calhoun Station, Unit 1, dated August 1972.

Agencies and Persons Consulted

In accordance with its stated policy, on December 19, 1995, the staff consulted with the Nebraska State official, Ms. Cheryl Rodgers of the Department of Health, regarding the environmental impact of the proposed action. The State official had no comments.

Finding of No Significant Impact

Based upon the environmental assessment, the Commission concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the Commission has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated December 8, 1995, and supplemental letter dated December 15, 1995, which are available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the W. Dale Clark Library, 215 South 15th Street, Omaha, Nebraska 68102.

Dated at Rockville, Maryland, this 20th day of December 1995.

For the Nuclear Regulatory Commission.
L. Raynard Wharton,
*Project Manager, Project Directorate IV-2,
Division of Reactor Projects—III/IV, Office of
Nuclear Reactor Regulation.*
[FR Doc. 95-31300 Filed 12-26-95; 8:45 am]
BILLING CODE 7590-01-P

Notice of Contaminated Sites Listed in NRC Site Decommissioning Management Plan

SUMMARY: This notice informs the public about the list of contaminated sites in the U.S. Nuclear Regulatory Commission's Site Decommissioning Management Plan (SDMP). One of the objectives of the SDMP is to promote timely and safe decommissioning of contaminated sites that warrant special NRC oversight because they pose unique or complex decommissioning issues. NRC established the SDMP in 1990 and updated it annually thereafter. NRC recently published an updated version of the SDMP in NUREG-1444 ("Site Decommissioning Management Plan," NUREG-1444, Supplement 1, November 1995).

There are currently 47 sites listed in the SDMP. The table at the end of this notice provides the current list of SDMP sites by site name and location. Since 1990, nine sites have been removed from the SDMP after successfully

completing remediation, NRC deferral of oversight to other agencies, or an NRC determination that the site was not subject to NRC licensing.

Sites listed in the SDMP vary in degree of radiological hazard, decommissioning complexity, and cost. Some sites comprise tens of acres that require assessment for radiological contamination, whereas other sites have contamination known to be limited to individual buildings or discrete piles of waste or contaminated soil. Many sites involve active licenses, but some sites were formerly licensed. SDMP sites also vary in degree of completion of decommissioning. At some sites, little or no decontamination work has been done. At other sites on the list, decommissioning is essentially complete and license termination or site release is in the offing.

Sites are added to the list if they satisfy one or more of the following criteria:

- (1) Problems with the viability of the responsible organization (e.g., inability to pay for or unwillingness to perform decommissioning);
- (2) Presence of large amounts of soil contamination or unused settling ponds or burial grounds that may be difficult to dispose of;
- (3) Long-term presence of contaminated, unused facility buildings;
- (4) Previously terminated license; or
- (5) Contamination or potential contamination of the groundwater from onsite wastes.

In reviewing the sites against these criteria, the NRC staff also considers the projected duration of necessary decommissioning actions and the willingness of the responsible organization to complete these actions in a timely manner.

Sites are removed from the list if they meet one or more of the following criteria:

- (1) The license has been terminated after acceptable remediation;
- (2) For operating sites that have an inactive, contaminated portion of the site (e.g., contaminated, inactive settling pond or building or a large volume of contaminated soil), remediation of the area has been completed and the license has been modified to reflect the remediation;
- (3) For unlicensed sites, acceptable remediation has been completed and the responsible party has been notified; or
- (4) Regulatory jurisdiction and oversight are completely assumed by an Agreement State (a State that has signed an agreement with the NRC to regulate nuclear materials under section 274 of the Atomic Energy Act) or by another

State or Federal agency (e.g., the Environmental Protection Agency).

NRC routinely notices removal of sites from the SDMP in the Federal Register.

FOR FURTHER INFORMATION CONTACT: David Fauver, Sr. Project Manager, Low-Level Waste and Decommissioning Projects Branch, Division of Waste Management, U.S. Nuclear Regulatory Commission, Mail Stop T7F27, Washington, DC 20555, Telephone: (301) 415-6625.

Dated at Rockville, Maryland this 19th day of December, 1995.

For the Nuclear Regulatory Commission.
Michael F. Weber,
*Chief, Low-Level Waste and Decommissioning
Projects Branch, Division of Waste
Management, Office of Nuclear Material
Safety and Safeguards.*

Table 1.—Site Decommissioning Management Plan Site List

Advanced Medical Systems, Inc.; Cleveland, OH
Aluminum Company of America; Cleveland, OH
Anne Arundel County/Curtis Bay; Anne Arundel County, MD
Army, Department of, Aberdeen Proving Ground; Aberdeen, MD
Army, Department of, Jefferson Proving Ground; Jefferson, IN
Babcock & Wilcox; Apollo, PA
Babcock & Wilcox; Parks Township, PA
BP Chemicals America, Inc.; Lima, OH
Brooks & Perkins; Detroit, MI
Brooks & Perkins; Livonia, MI
Cabot Corporation; Boyertown, PA
Cabot Corporation; Reading, PA
Cabot Corporation; Revere, PA
Chemetron Corporation, Bert Avenue; Cleveland, OH
Chemetron Corporation, Harvard Avenue; Cleveland, OH
Clevite; Cleveland, OH
Dow Chemical Company; Bay City and Midland, MI
Elkem Metals, Inc.; Marietta, OH
Engelhard Corporation; Plainville, MA
Fansteel, Inc.; Muskogee, OK
Hartley and Hartley (Kawkawlin) Landfill; Bay County, MI
Heritage Minerals; Lakehurst, NJ
Horizons, Inc.; Cleveland, OH
Kaiser Aluminum; Tulsa, OK
Kerr-McGee; Cimarron, OK
Kerr-McGee; Cushing, OK
Lake City Army Ammunition Plant (formerly Remington Arms Company); Independence, MO
Minnesota Mining and Manufacturing Co. (3M); Pine County, MN
Molycorp, Inc.; Washington, PA
Molycorp, Inc.; York, PA
Northeast Ohio Regional Sewer District/Southerly Plant; Cleveland, OH
Nuclear Metals, Inc.; Concord, MA
Permagrain Products; Media, PA
Pesses Company, METCOA Site; Pulaski, PA
RMI Titanium Company; Ashtabula, OH
RTI, Inc. (formerly Process Technology of North Jersey, Inc.); Rockaway, NJ